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| **To:** | Examiner T. Duong<br>USPTO Art Unit 2143 | **From:** | Wayne Bailey |
| **Fax:** | (703) 872-9306 | **Date:** | May 23, 2004 |
| **Phone:** | (703) 305-1886 | **Pages:** | 3 |
| **Re:** | Patent Application Serial # 09/710,921 | **CC:** | |

x **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

**•Comments: Please see attached Interview Request Form**

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# Applicant Initiated Interview Request Form

Application No.: 09/710,921 First Named Applicant: Rick Hamilton II
Examiner: T. Duong Art Unit: 2143 Status of Application: First office Action

**Tentative Participants:**
(1) Wayne Bailey (2) _____
(3) _____ (4) _____

**Proposed Date of Interview:** 5/26/04 **Proposed Time:** 1:00 (AM/PM) EDT

**Type of Interview Requested:**
(1) [X] Telephonic (2) [ ] Personal (3) [ ] Video Conference

**Exhibit To Be Shown or Demonstrated:** [ ] YES [X] NO
**If yes, provide brief description:** _____

## Issues To Be Discussed

| Issues (Rej., Obj., etc) | Claims/ Fig. #s | Prior Art | Discussed | Agreed | Not Agreed |
|---|---|---|---|---|---|
| (1) Rej | 1 | Bleiloch | [ ] | [ ] | [ ] |
| (2) Rej | 2 | Bleiloch | [ ] | [ ] | [ ] |
| (3) Rej | 7-10 | Bleiloch | [ ] | [ ] | [ ] |
| (4) _____ | _____ | _____ | [ ] | [ ] | [ ] |

[X] Continuation Sheet Attached

**Brief Description of Arguments to be Presented:** see attached Continuation Sheet

**An interview was conducted on the above-identified application on** _____.

**NOTE:**
**This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).**
**This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.**

(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**Continuation Sheet for Patent Application Serial Number 09/710,921**

Examiner: T. Duong Art Unit: 2143

Brief Description of Arguments to be Presented:

**Claim 1**: The Blellock reference teaches a system having two subsets of processors – 'worker' processors which execute tasks and 'scheduler' processors which execute the scheduler (Col. 14, lines 4-42). All of the processing elements operate separately without being in synchronization (Col 5, lines 19-21). While it appears that the scheduler initially determines a sequential ordering of tasks for processing (Abstract 1-4), this sequential schedule is independent of the actual parallel execution that occurs (Abstract lines 10-15). The scheduled tasks are placed on a queue, where they are extracted for execution by the 'worker' processors (Col. 2, lines 43-51), thereby creating a pull system rather than a push system (Col. 8, lines 17-21). This independence between the scheduler and process execution is expressly desired to allow tasks to run in parallel and independent of one another (Col. 1, lines 36-48), and to improve overall system flexibility (Col. 5, lines 19-21). While there are synchronization variables that can cause a given process thread to wait on another thread to set the synchronization variable (Col. 8, lines 43-59), these 'waiting' threads have already begun execution and are subsequently placed in a wait state, and are awakened when another process thread writes to the synchronization variable (Col. 10, lines 44-65).

Thus, there is no teaching of scheduling execution of a plurality of commands in a programming order such that a first one of the plurality of commands in said order begin and complete executing prior to a second one of said commands in said order beginning executing, wherein said plurality of commands are executed sequentially in said programming order. Rather, the teachings of the cited reference are directed to a parallel processing system where tasks are performed by parallel processors, and particularly to concurrent execution of operations in a number of functional units (Blellock Col. 1, lines 12-15).

**Claim 2**: There is no teaching in the cited reference of encapsulating a command in a process, the command having been scheduled for execution.

**Claim 7**: There is no teaching in the cited reference of using both a return code variable and a process identifier to determine whether a process is currently executing.

******** END ********